IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

WP(C).No. 28062 of 2007(N)

PETITIONER:

SASI, S/O. RAGHAVAN,
KOLAI VEEDU, PALLISSERY VILLAGE, ARATTUPUZHA,
THRISSUR.

BY ADV. SRI.SUBHASH CYRIAC

RESPONDENTS:

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1. THE JOINT REGISTRAR (GENERAL),
OFFICE OF THE ASST. REGISTRAR OF CO-OPERATIVE SOCIETIES, TRICHUR.

2. THRISSUR DISTRICT CO-OPERATIVE BANK,
REPRESENTED BY THE SECRETARY, THRISSUR.

3. SALE OFFICER,
THRISSUR DISTRICT CO-OPERATIVE BANK, HEAD OFFICE,
THRISSUR.

R1 & R3 BY GOVERNMENT PLEADER (SMT. ANU SIVARAMAN)

R2 BY ADVS. SHRI T.R. HARIKUMAR & V.G. ARUN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 28062 OF 2007 N

Dated this the 24th September, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid. Ext.P1 is the sale notice. Petitioner challenges Ext.P1 and seeks a direction to consider Ext.P2. Ext.P2 is dated 18.8.2007. The respondent Bank has already purchased the property in the auction held pursuant to Ext.P1. Learned counsel for petitioner submits that the petitioner is prepared to pay off the amount in instalments and the sale need not be confirmed. In such circumstances, the Writ Petition is disposed of permitting the petitioner to pay off the amount with due interest in six equal monthly instalments. The respondent Bank will serve a Statement on the petitioner within two weeks from today showing the exact amount of instalments to be paid on the basis that the petitioner has to pay off the amount remaining to be paid with interest in six equal monthly instalments. The first instalment shall be paid on or before 15.10.2007 and the remaining instalments on or before

the 15th of every succeeding month. If the petitioner does not remit any of the instalments, petitioner will lose the benefit of this Judgment and the sale can be confirmed in accordance with law.

K. M. JOSEPH, JUDGE

kbk.